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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
7 RENO, NEVADA

8 AARON JACKSON,) 3:10-cv-00045-ECR-WGC
9 Plaintiff,)
10 vs.) Order
11 HALBERFIELD, et al.,)
12 Defendant.)
13)

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15 On December 15, 2011, the Magistrate Judge filed a Report and
16 Recommendation (#56), recommending that Defendants' Motion for
17 Summary Judgment (#44) be granted because there is no evidence as to
18 the subjective component of the Eighth Amendment inquiry, *i.e.*, that
19 Defendants were deliberately indifferent to a substantial risk of
20 serious harm. The Eighth Amendment claim is the only remaining
21 federal claim in this action. No objections have been timely filed.

22 The Magistrate Judge also recommends that the Court should
23 decline to exercise jurisdiction over the state law tort and
24 conspiracy claims because there are no remaining federal claims.

25 The Report and Recommendation (#56) is well-taken, and is
26 therefore **APPROVED AND ADOPTED**. Defendant's Motion for Summary
27 Judgment (#44) is **GRANTED**. Plaintiff's remaining state law tort and
28 conspiracy claims are **DISMISSED WITHOUT PREJUDICE**.

1 The Clerk shall enter judgment accordingly.

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3 DATED: February 9, 2012.

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5 UNITED STATES DISTRICT JUDGE
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